<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 48-69 are pending in this application. Claims 48, 55, 62 and 63 were amended by the present response without introducing new matter. Support for additions to the claims can be found in the disclosure as originally filed, for example on page 6, first paragraph and Figure 1. Thus, no new matter is added.

In the outstanding Office Action, Claims 48-69 were rejected under 35 U.S.C. §103(a) as unpatentable over <u>Microsoft Windows</u> (1998, herein, "<u>Windows</u>") in view of <u>Wendorf et al.</u> (U.S. Pat. No. 7,257,821, herein "<u>Wendorf</u>").

Addressing now the rejection of Claims 48-69 under 35 U.S.C. §103(a) as unpatentable over <u>Windows</u> and <u>Wendorf</u>, that rejection is respectfully traversed.

Initially, with respect to the §103(a) rejection including the <u>Wendorf</u> reference, Applicants respectfully traverse this rejection. Specifically, Applicants note that the present application claims priority to European Application EPO 00114792.5 filed July 10, 2000 which was filed in the English language. In contrast, the filing date of the <u>Wendorf</u> reference is April 4, 2001. Thus, Applicants note that under no provision of 35 U.S.C. §102 or §103 is the <u>Wendorf</u> reference available to be used to reject the present application. Accordingly, Applicants respectfully request that the §103(a) rejection in the outstanding Office Action citing <u>Wendorf</u>, be withdrawn.

Addressing now the application of the <u>Windows</u> reference in the outstanding Action, Applicants respectfully traverse the position that the <u>Windows</u> references describes or suggests features of the claimed invention.

Claim 48 recites, in part,

> generating icons of the network devices having a
> plurality of functions regarding a reproducing and/or recording

of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device or a server by a user selecting one of the displayed icons;

selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

receiving a selection of a function in the selectively displayed menu; and

controlling the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

The Windows reference shows screenshots of the Windows operating system and the explorer program included in the Windows OS.

The outstanding Action cites Windows as describing the all of the features of the claimed invention except for certain acknowledged deficiencies discussed on page 3 of the outstanding Action. Applicants respectfully traverse this assertion and submit that Windows does not describe or suggest these features of the claimed invention.

In a non-limiting example, Fig. 1 of the present disclosure illustrates a context sensitive menu 46 that can be called for different items (icons or folders) within a hierarchical structure. This context sensitive menu is asserted by the outstanding Action as corresponding to the right click popup menu of Windows Explorer. However, such a menu is not part of the hierarchical structure but merely an additional information or interface on another layer or level of operation of the system.

From the cited screenshots of Windows, it can be seen that devices and even network devices might be displayed in hierarchical structures. However, in Windows, only the devices

themselves are displayed, whereas in the claimed invention the services corresponding to the

devices are also displayed in a hierarchical structure.

At first, when an optical data carrier such as a CD is inserted into an appropriate drive

in the computer, Windows displays the drive as a device in a hierarchical structure. However,

if the CD contains one sector with an audio CD format containing audio files and another

sector containing CDR data such as a movie file or several jpg files, Windows explorer

displays the drive as a device and the content of this CD as subfiles, so that movie file, jpg

files and audio tracks are displayed as they have been written to the CD. No hierarchy taking

into account the different services corresponding to the device, i.e. the CD drive, are

displayed in a hierarchical structure.

In contrast, in the claimed invention the CD drive is displayed as a network device in

the network. In addition, instead of displaying the actual data content of the optical data

carrier, icons are generated for all the services corresponding to the CD. For instance, there

are displayed icons for *playing* audio files, for example .wav files, at least one icon for

viewing pictures and at least one icon for *viewing* video files, such as a mpg video file.

Thus, it is not the actual data files stored on the CD that are relevant for the

hierarchical display, but the different services that are provided by the CD player, i.e.

playback or viewing. Such display of services is not found in the cited screenshots of

Windows Explorer, especially considering that the non-hierarchical and call-dependent right-

click menu of Explorer is not at least partially displaying the generated icons with a

hierarchical structure so as to show a relationship of network connections of the network

devices in the home network.

Furthermore, if another CD would be inserted in a second CD drive, where the second

CD contains audio and video data, Windows explorer would only be capable of again

displaying the data files stored on the second CD as subfiles of the corresponding second CD

drive. Since no services, but only devices are displayed in a hierarchical structure, no logic

sorting of the available services is allowed by this system.

In contrast, according to the claimed invention, all network devices and corresponding

services are displayed in a hierarchical structure so that all audio files and all video files are

not only able to be displayed in a hierarchical structure, but can also be abstracted so that one

icon or folder, respectively, referring to the available audio files within the home network,

can contain all audio files of all available network devices. In this example, the audio files of

both the first and the second CD could thus be displayed within one folder. In addition, the

video files icon includes all video files of the home network so that all video files of the first

and of the second CD could be brought together into one logical folder. This advantageous

feature cannot be found anywhere in Windows or in any of the cited screenshots.

In addition, in an additional non-limiting example shown in Figs. 1 and 2 there is

illustrated a hierarchical structure of the services corresponding to a digital audio broadcast

receiver, where the services are displayed in a hierarchical structure. Under an audio stream

folder, English radio programs are listed as subfolders or objects, respectively (see Fig. 2).

Such a display of an actual service (or object of Fig. 2), in particular in a hierarchical

structure is neither taught nor suggested by Windows.

Accordingly, Windows does not describe or suggest the features recited in Claims 48,

55, 62 and 63 and thus, Claims 48, 55, 62 and 63, and claims depending therefrom,

patentably distinguish over Windows.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 48-69 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.
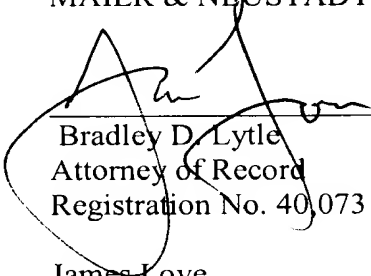
Respectfully submitted,

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